

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Saint Paul District

FILE NUMBER: MVP-2006-6013-DWW

PROJECT MANAGER: Daryl Wierzbinski

PROJECT REVIEW/DETERMINATION COMPLETED: In the office? Y ☐ N ☐

Date:

At the project site? Y ☐ N ☐

Date: October 24, 2006

PROJECT LOCATION INFORMATION:

State: MN

County: Carlton

Center coordinates of site by latitude & longitude: 46.4334444/-92.761462

Approximate size of site/property (including uplands) in acres: 160 acres

Name of waterway or watershed: Kettle, Minnesota

Type of Aquatic Resource ¹ :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Ft	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands	0.14								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					x
Is or would be used as habitat by other migratory birds that cross state lines?					x
Is or would be used as habitat for endangered species?					x
Is used to irrigate crops sold in interstate commerce?				x	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary ☐ Or Approved: ☐

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ADDITIONAL INFORMATION SUPPORTING njd (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite): **The wetlands are 0.14-acre wet meadow/depressional areas dominated by reed canary grass. The wetland may serve as a detention pond for stormwater runoff from surrounding agricultural fields.**

Based on a site visit on October 24, 2006, the wetlands proposed to be impacted (A) and (B) have no surface water connection to any tributary system and no surface water connection to a navigable water of the U.S.

The wetlands lie entirely within the State of Minnesota, Sec. 28, T. 46N., R. 19W., Carlton County, Minnesota. Aerial maps and topography maps failed to identify surface water connection or adjacency to any part of a tributary system to a navigable water of the U.S.

There are other waters/wetlands of the U.S. occurring onsite for this 160-acre parcel in the City of Moose Lake.